

REMARKS

Claims 1-10, 12-18, 22-32, 34-40, and 45-51 are pending in the application. Claims 1, 3, 6, 10, 23, 25, 28 and 46 have been amended. Further, claims 11, 19-21, 33, and 41-44 have been cancelled, and claims 47-51 are newly added to the application.

Claims 3, 6, and 25 have been amended to more properly recite the subject matter of the applicants' invention.

Additionally, the specification has been amended to clarify the definition of the short hand abbreviation for polyvinyl acetate.

No new matter has been introduced by the amendment.

Rejection Under 35 U.S.C. § 102(b)

Claims 1-10, 12-18, 22-32, 34-40, 45 and 46 have been rejected over Mansukhani et al. or Bunczek et al. This rejection is overcome in view of the amendment of claims 1, 23, and 46 together with the following remarks.

Claims 1, 23, and 46 have been amended to recite a chewing gum base having an ultrahigh molecular weight polyvinyl acetate with a concentration greater than 10% by weight of the chewing gum base. Further, as amended, these claims now recite that the ultrahigh molecular weight polyvinyl acetate functions to increase the cohesiveness of the gum base. The applicants respectfully assert that the chewing gum base recited in claims 1, 23, and 46 is not suggested or disclosed by either Mansukhani et al. or Bunczek et al.

The pending claims differ from Mansukhani et al. at least because Mansukhani et al. does not suggest or disclose a gum base having more than 10% ultra high molecular weight polyvinyl acetate. (See for example Col. 3, ll. 45-53). Further, Mansukhani et al. does not suggest or disclose the addition of ultrahigh molecular weight polyvinyl acetate to a gum base formulation in order to increase the cohesiveness of the gum base. Rather than disclosing a gum base having high cohesiveness, Mansukhani et al. disclose the addition of surfactants in order to provide the finished chewing gum with a desired softness and non-stickiness. (See for example Col. 5, ll. 6-21).

The applicants have demonstrated the improved cohesion of their gum base in the comparative results illustrated in Table 3 of their specification. In particular,

Examples 3 and 4, which contain 60 wt. % and 65 wt. % ultrahigh molecular weight polyvinyl acetate, respectively, both exhibit complete removability from indoor smooth surfaces. The applicants respectfully assert that such improved removability through the addition of more than 10 wt. % ultrahigh molecular weight polyvinyl acetate is not suggested or disclosed by Mansukhani et al.

The applicants respectfully assert that their pending claims also distinguish over Bunczek et al. As pointed out by the applicants in their response of January 26, 2004, Bunczek et al. disclose a gum base having siloxane to reduce the adhesiveness of the gum base. Although Bunczek et al. disclose a number of polar polymers, one of which being polyvinyl acetate, there is no suggestion by Bunczek et al. for the addition of ultrahigh molecular weight polyvinyl acetate for cohesion improvement. Although Bunczek et al. sets forth a large list of polar polymers having a molecular weight ranging from 10,000 to about 200,000, Bunczek et al. do not disclose the formulation of a gum base having improved removability with ultra high molecular weight polyvinyl acetate ranging to 600,000 daltons. Further, all embodiments of the gum base composition disclosed by Bunczek et al. include siloxane polymers in concentrations ranging from about 8 wt. % to about 95 wt. %. (See for example Col. 3, ll. 39-44).

In order to better define the distinguishing features of the applicants' invention, the applicants' have amended their pending claims to recite that the ultrahigh molecular weight polyvinyl acetate function to increase the cohesion of the gum base. The applicants respectfully assert that their claimed composition exhibits a dramatic and unexpected improvement in removability of the gum base from surfaces. These results are related to the large increase in cohesiveness of the gum base obtained by the formulation of the base to include at least 10 wt.% ultrahigh molecular weight polyvinyl acetate, which has a molecular weight ranging between about 100,000 and about 600,000 Daltons. The claimed composition exhibits the unexpected improvement in removability without the need to add siloxane as disclosed by Bunczek et al.

The applicants respectfully assert that the prior art does not suggest or disclose the addition of particular concentrations of ultrahigh molecular weight polyvinyl acetate having a particular molecular weight range for increasing the cohesiveness of a gum base. The applicants further assert that the prior art does not suggest or disclose the large increase in removability of the gum base from

surfaces as a result of the increase cohesiveness realized through the particular claimed ultrahigh molecular weight polyvinyl acetate formulation.

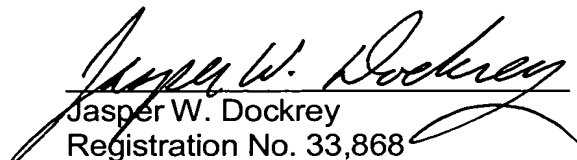
New Claims

Claims 47-50 are newly added in order that the applicants can more fully claim the subject matter of their invention. Claim 47 recites a chewing gum base that includes ultrahigh molecular weight polyvinyl acetate with a molecular weight ranging between about 100,000 to about 600,000 daltons. Further the ultrahigh molecular weight polyvinyl acetate is present in a concentration that ranges from about 15% to about 65% by weight of the chewing gum base. The ultrahigh molecular weight polyvinyl acetate functions to increase the cohesiveness of the gum base. The chewing gum base further includes a plasticizer that ranges from about 10% to about 50% by weight of the chewing gum base, and a filler that ranges from about 1% to about 30% by weight of the chewing gum base. The applicants respectfully assert that claim 47 distinguishes over the prior art in view of the absence of any teaching or suggestion for a gum base having high cohesiveness resulting from the addition of the recited ultrahigh molecular weight polyvinyl acetate. The claimed composition exhibits an unexpected improvement in removability without the need to add siloxane polymers or other silicon materials.

Claims 49-51 each depend from claim 47 and recite particular gum base compositions. These claims are believed allowable in view of their dependence from claim 47.

The applicants have made a novel and nonobvious contribution to the art of chewing gum formulation. The claims at issue are believed to distinguish over the cited references and to be in condition for allowance. Accordingly, such allowances now earnestly requested.

Respectfully submitted,


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